



8/21/03 #5
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David Carr, et al.

Title: **METHOD AND APPARATUS FOR SEGMENTATION AND REASSEMBLY
OF DATA PACKETS IN A COMMUNICATION SWITCH**

App. No.: 09/426,791

Filed: 10-22-1999

Examiner: Duong, Frank

Group Art Unit: 2666

Atty. Dkt. No. 1400.4100225

RECEIVED

AUG 15 2003

Technology Center 2000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on August 8, 2003.

Ross D. Snyder, Reg. No. 37,730
Typed or Printed Name


Signature

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT

Dear Sir:

REMARKS

The Office has restricted the claims of this application into Group I (Claims 1-16 and 29-44) and Group II (Claims 17-28).

Applicants elect the claims of Group I (Claims 1-16 and 29-44) and provisionally withdraw the non-elected claims of Group II. The restriction is respectfully traversed in order to preserve the issue for subsequent petition since the examination of all of the claims (Claims 1-44) does not create an undue burden on the Office and that the subject matter among the groups is not independent and distinct as required by statute. Furthermore, different classifications as recited by the Office do not, by themselves, provide adequate grounds for restriction since the Office has historically allowed many

applications containing various claims (e.g., method, apparatus, and article of manufacture) in one patent application.

Applicants further disagree with the characterizations relied on by the Office to support distinctness of the groups.

In summary, Applicants have elected the claims of Group I for further prosecution and provisionally withdrawn the non-elected claims from consideration. Reconsideration and further prosecution on the merits of claims in Group II is respectfully requested.

Respectfully submitted,

08/08/2003

Date

Ross D. Snyder

Ross D. Snyder, Reg. No. 37,730
Attorney for Applicant(s)
Ross D. Snyder & Associates, Inc.
115 Wild Basin Road, Suite 107
Austin, Texas 78746
(512) 347-9223 (phone)
(512) 347-9224 (fax)